Mr. *LE CLERC's*

EXTRACT

AND

JUDGMENT

OF

The Rights of the Chriſtian Church aſſerted, &c.

Tranſlated from his *Bibliotheque Choiſie*, Tome X.

To which is prefix'd,

A LETTER to a Noble Peer, occaſion'd by a late Preſentment of the Grand Jury of *Middleſex*.

LONDON,

Printed for *A. Baldwin* near the *Oxford* Arms in *Warwick Lane*. 1708.

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LONDON,

Printed for A. Baldwin near the Oxford Arms in Warwick Lane. 1708.

To the Lord ——.

My Lord,

I *HAVE read over what your Lordſhip mention'd to me, when I had the Honour to wait on you laſt at* R——d, *viz.* The Extract of the Rights of the Chriſtian Church, *as it is publiſh'd by Monſieur* Le Clerc, *in his* Bibliotheque Choiſie. *And ſince your Lordſhip is pleas'd to require my Judgment of it, tho I have ſeen few Abridgments which have not extremely injur'd their original Authors, yet this, I muſt ſay, has given me much Saiisfaction, and fully anſwers my Expectation from a Man of Mr.* Le Clerc's *known Abilitys.*

Your Lordſhip perhaps will ſmile, when I tell you, that I think this Account in French, *tho of an* Engliſh *Book, ought to be tranſlated back again into* Engliſh: *For I do not expect to ſee a better Extract of it by any* Engliſh *Hand, unleſs the Author himſelf would undertake it; and I believe many will be prevail'd upon to conſider the Arguments, when they ſee 'em in a leſs compaſs, who will not, thro the Prejudice they have conceiv'd againſt the Book it ſelf, be otherwiſe rightly apprix'd of 'em. I have therefore deſir'd a Friend to tranſlate it, tho I cou'd have taken much plea-*

ſure in doing it my ſelf, if I had been favour'd with an opportunity. It will, I believe, be ſome Satisfaction to the Publick, to ſee the Judgment of a Learned and Ingenious Foreigner concerning this Piece, which has found both the greateſt Reception, and the moſt violent Oppoſition, of any Book we have had printed among us for many years.

For tho nothing is plainer, than that the Author's Deſign is not to deprive the Clergy of any juſt Powers which belong to them, but only to make 'em ſenſible by what Title they hold, yet they have taken the Alarm, as if their Altars were quite pull'd down, and their Churches deſtroy'd. The Cry is up pro Aris & Focis, and the Book is arraign'd of Sedition, Rebellion, Blaſphemy, and what not? And the great Provocation is, its oppoſing that Source of Abſurditys and endleſs Confuſion, viz. the Notion of two Independent Powers in the Government. But what's more ſtrange is, that a Proſecution ſhou'd be ſet on foot againſt a Book, whoſe whole Strength is employ'd in the Defence of our Conſtitution; and that the Laws ſhould be appeal'd to againſt a Writer, who has with the greateſt Learning and Clearneſs aſſerted 'em.

It is certain, that a great many People have taken up a moſt terrible Opinion of that Book upon truſt, and without having perhaps read a Page in it. And this was, I ſuppoſe, the Caſe of the truſty Zealots at Hicks's Hall, who knowing very little of the matter, were yet unwilling to have recourſe to their old honeſt Verdict of Ignoramus; but thought fit, upon the angry Complaint, and partial Repreſentations, of a certain Clergy-man, to preſent the Author, Printer, and Publiſher of the ſaid Book. I might ſuppoſe your Lordſhip has ſeen the Letter printed lately on that occaſion, in which the Paſſages, as they are in the Book

Book it ſelf, and as they are recited in the Preſentment, are ſet againſt one another, to enable the Reader to judg of the Honeſty of the Report, and of the Juſtice of the conſequent Proceedings. But leſt, amidſt your more important Engagements, that Paper may not have come to your Hands, I will take leave to ſend you two Paſſages out of it, as a Specimen of the whole.

In the Preſentment.

Book, pag. 15.] 'Tis a grand Miſtake to ſuppoſe the Magiſtrate's Power extends to indifferent Things. Men have Liberty as they pleaſe, and a Right to form what Clubs, Companies, or Meetings they think fit, either for Buſineſs or Pleaſure; which the Magiſtrate cannot hinder, without manifeſt Injuſtice.

In the Book.

Book, pag. 15.] *'Tis a grand Miſtake, to ſuppoſe the Magiſtrate's Power extends to indifferent Things; for then he might deprive Men of all Liberty, and render his Power inſupportable, in hindring them from managing their private and Family Concerns, as they pleaſe; which they have not only a Right to do, but to form what Clubs, Companies, or Meetings they think fit, either for Buſineſs or Pleaſure, which the Magiſtrate,* as long as the Publick ſuſtains no Damage, *cannot hinder, without manifeſt Injuſtice, and acting contrary to the main End for which he was intruſted with Power, the Preſervation of Mens Liberties in all ſuch Things as could be done without Detriment to the Publick.*

Book, pag. 118.] Prieſts no more than Spiritual Make-baits, Bare-

Book, pag. 118.] *And if the Heathen World was, as Divines tell*

Bareters, Beautefeus, and Incendiaries; and who make Churches ſerve to worſe Purpoſes than Bear-gardens.

tell us, under the Power of Satan, I ſhould be glad to ſee how they avoid this Conſequence of Nature's not being ſo much perverted then, as ſince, under the Government of certain Prieſts, who are no better than Spiritual Makebaits, Bareters, Beautefeus, and Incendiaries; and who make their Churches ſerve to worſe Purpoſes than Bear-Gardens, where Beaſts are only the Combatants; but here Chriſtians are halloo'd on to worry and devour one another, and all in Defiance of the Scriptures, which teach the forgiving even of the greateſt Injuries, while they require People to treat thoſe who have not done 'em the leaſt Injury, after the moſt barbarous manner.

Now I wou'd ask an indifferent Judg, whether any thing can be more impudent or notoriouſly diſhoneſt than this manner of Citation? But 'tis plain, that without it, the Sollicitor of this Preſentment could not have carry'd on his Deſign; and I cannot but make one Remark on the laſt of theſe Paſſages, which is, that the Proſecutor himſelf has prov'd by it, the Truth of the very Aſſertion he arraigns, viz. *that there are* certain Prieſts who are Beautefeus and Incendiaries; *and 'tis to be fear'd, would be ſo in a literal ſenſe too, if they might be ſo happy as to revive their old* de comburendo *Statute. At leaſt it may be ſaid, that this manner of Proſecution extremely reſembles the Proceedings of the holy Brethren of the Inquiſition, who, when they would deliver a Wretch to be deſtroy'd by the ſecular Power, firſt dreſs him up for his Execution in a painted Coat of Flames, to make him appear as deviliſh*

as

as possible to the staring Multitude. I wou'd fain know, if this Stratagem of transcribing Sentences imperfectly, and leaving out what one pleases, were to be turn'd upon the Party, what there is of all their most abhor'd Doctrines, which one might not convict 'em of asserting? I wou'd undertake by this Art, as hard as it may seem, to prove out of their own Writings, that A——— *is an avow'd Enemy to the Lower-House of Convocation; that* H——— *is an Admirer of the present Set of Bishops; that the Rehearser is a Champion for the Revolution, and (which wou'd be as strange as any thing) that* S——l, *that Captain-General of High-Church, meant nothing by his* Bloody Banner, *but to wage a Christian War in Defence of Moderation.*

The Partiality of this Prosecution is indeed so notorious, that tho our Laws for every Man's Safety ordain, that he be try'd by a Jury of his own Country and Neighbourhood; yet the Author of the Rights *might expect a much juster Treatment in appealing to Foreigners, who are disinterested Judges in the Matter. And for Mr.* Le Clerc *in particular, he has always express'd too just an Esteem of the Church of* England, *to be suspected as byas'd in favour of a Book, which cou'd with any reason be concluded to oppose the true Interest and Constitution of it. It will be easy to judg, even by the Extract, whether the Author's Cause and Arguments are good; for some Truths are oppos'd only because deliver'd with too much Freedom: and 'tis not of such Consequence to know, whether the Writer of that Book has treated his Subject in the most proper manner, as to know, whether his Reasonings are not in themselves of too great a Force to be overthrown by the Efforts of an enrag'd Party.*

But

But as it is the common Vice of Mankind, to be extravagantly desirous of more Power than they are always willing to exercise for the Good of their Fellow-Creatures; so the Clergy are not free from this Contagion: and therefore they have upon many occasions endeavour'd to interest Heaven it self in their Quarrels, tho the Question has been only upon Temporalitys. Thus the Adherents to Arbitrary Power have by a like Stratagem represented the Patrons of Liberty as Levellers, Commonwealths-Men, and Enemys to the Prince's Prerogative.

After all, if the Book of the Rights *were ever so formidable, the Clergy need not be apprehensive of any ill Consequence, if they wou'd but be content with that sort of true Greatness which best becomes them; and if their Ambition rather turn'd to rule over Men by the eminent Distinctions of their Learning, Piety, and good Example, than by their Secular Power. This, your Lordship knows, is agreeable to the Judgment of one of the best of them, that has written on the very Case, I mean the ever-memorable Mr.* Hales *of* Eaton; *I refer to his Tract* of the Power of the Keys *for the Passage, which our high-flying Clergy may read with Blushes. And I will not now detain your Lordship any longer, when I have assur'd you, that I am,* &c.

Mr.

Mr. LE CLERC's *Extract and Judgment on the* Rights of the Chriſtian Church, *&c.*

Tranſlated from his Bibliotheque Choiſié, *Tom.* X.

THIS Book, we hear, has been the Subject of much Diſcourſe in *England*; nor is it at all ſurprizing that it ſhould, ſince the Author attacks with all his might the Pretenſions of ſuch as are call'd *High Churchmen*: that is, of thoſe who exalt the Biſhops Rights ſo far as to make them Independent, in Eccleſiaſtical Affairs, of Prince and People; and who conſtrue all that has been done to prevent the Laity's Dependance on Biſhops, whether in *England*, or on this ſide the Water, as Lay-Uſurpation, and againſt Divine Right. Nay, theſe

Gentlemen carry it ſo far as to damn all, at leaſt don't allow them to be ſav'd without a Miracle, and the extraordinary Grace of God, who do not live under Epiſcopal Government, and who receive not the Sacraments from Prieſts Epiſcopally ordain'd. Perſons of ſuch high Pretenſions are, for the moſt part, very ſenſible, when they are any ways, tho ne'er ſo lightly, touch'd; while yet they themſelves inſiſt, That others ſhould patiently take, as it were for Goſpel, what the New Teſtament ſays nothing of, as even the chief of that Party own. They complain notwithſtanding, as if all was ruin'd, except their Principles be admitted; tho in other reſpects the indiſputable Doctrine of the Apoſtles be inviolably preſerv'd. But in truth theſe are not the Sentiments of the Church of *England*, which is too much enlighten'd, and too wiſe, to carry things to ſuch Extremitys; and which has all along ſhewn by her Conduct, from the time of the Reformation, that ſhe meant to depend in divers reſpects on the Sovereign Authority of King and Parliament: And which pretends not, that they who live under another Government, are for that only in danger of Damnation.

For my own part, tho I am perſuaded that Epiſcopal Government, without Tyranny, is the beſt, as Experience ſhews, when it can be, or is once, eſtabliſh'd; yet I ſee no reaſon to damn thoſe Proteſtants, who live where it is not, nor can be, eſtabliſh'd without great Diſorders and Troubles in the State; eſpecially when 'tis confeſs'd, as 'tis by ſome of theſe Gentlemen, that there is no Command for it in the New Teſtament.

I don't mean to take any part in the particular Diſputes, which the Learned in *England* have among themſelves about the Independent Power of Biſhops; and much leſs to reflect in any ſort on the Church of *England*, which I reſpect and honour, as the moſt Illuſtrious of all the Proteſtant Churches; which abounds with Learned Men, and a Multitude of Books full of good Senſe, Learning,

and

and Piety. This is a Juſtice I have always paid her with pleaſure, and that without any Intereſt engaging me thereto. But I am perſuaded, that the Wiſe and Moderate of that Church can have no Apprehenſions of the Church's Danger, that ſuch a Book as this is ſuffer'd to appear in publick. I believe the Author, as himſelf ſays, had no deſign againſt the preſent Eſtabliſhment, which he approves; but only againſt ſome exceſſive Pretenſions, and thoſe contrary withal to the Laws of *England*, and to the Authority of King and Parliament. As I know him not, nor have any concern with him, I have no particular Intereſt to defend him; nor do I undertake it.

If it be thought, that in certain Paſſages he has carry'd things too far, there needs no more than to refute him calmly with Scripture and Reaſon, which he employs, the beſt he can, to ſupport his own Opinions. The *Engliſh* Nation has too much Light and good Senſe to be abus'd by falſe Reaſonings, eſpecially when 'tis lawful, as at preſent, to oppoſe them with better. Truth, I believe, never runs any riſque among an enlighten'd People, but when 'tis not permitted to be ſpoken; nor has it any thing to fear from Lyes, if ſuffer'd to encounter them on equal terms: So that they, who think they have Truth on their ſide, have nothing to fear from Books, ſo long as they may write, and publiſh others to defend her.

This here is too full of Matter for me to offer at giving an exact Abſtract of it; and they, who underſtand *Engliſh*, will do well to read the Original. They have ſcarce ever read a Book ſo ſtrong, and ſo ſupported, in favour of thoſe Principles, which Proteſtants on this ſide the Water commonly hold. I'll only give an Abridgment of the Introduction, which contains the general Principles of the Work; and obſerve in groſs what each Chapter and the Preface contains. See here then the ſhort of the Introduction.

The greateſt part of the Ills attending Civil Societys proceed, according to this Author, only from the Abuſe of Power in thoſe who preſide; and that either in extending it to things which never were, or that could never regularly be committed to their charge; or elſe in applying it to things, tho in truth within their Sphere, yet after a manner oppoſite to the End for which thoſe Powers were eſtabliſh'd. But beſides the Ills common to all Civil Societys, ſuch as are Chriſtian have ſome peculiar to themſelves: Which ariſeth hence, That ſome among theſe would eſtabliſh two Independent Powers, the one Civil, the other Eccleſiaſtical, in the ſame Society.

This Doctrine has occaſion'd a thouſand Diſturbances, not only between Princes and Prieſts, but alſo among Eccleſiaſticks themſelves, as Hiſtory teacheth us, and we ſee at this day.

The Deſign of this Diſcourſe is to ſhew, Firſt, How far the Sovereign Power extends, and in what reſpects Men are ſtill in the Liberty of the State of Nature, and depend on God only and their own Conſciences. Secondly, To examine by what Proofs, drawn from Reaſon and Scripture, ſome would pretend to eſtabliſh an Independent Power in the Clergy.

1. It will be allow'd, That the Scripture neither enlarges nor reſtrains any Power of the Governours of Mankind, and that God has not divided the Earth among certain Governments, or to certain Familys, whom he has commiſſion'd to govern the Whole or any Part; and by conſequence the Power of Sovereigns comes not immediately from God, but from the People. So that to know the Extent of Sovereign Juriſdiction, 'tis neceſſary to know what Power Men have over one another, and over themſelves; becauſe they cannot give what themſelves have not.

It is plain, that Creatures of the ſame Kind, and created to the ſame Advantages, are originally equal. No one by Nature has more Power over another,

another, than that other has over him. 'Tis nevertheleſs true, that Infants are not in a State of pure Equality; for till they attain the Uſe of Reaſon, 'tis neceſſary they be govern'd by that of their Parents: yet theſe very ſame Parents, if they loſe the Uſe of their own, ought no leſs to be govern'd by the Reaſon of their Children, when come to Age of Diſcretion. So that the ſame Reaſon, which ſets a Father free, operates alike in the Son; who then has, within the Bounds of the Law of Nature, as extenſive a Liberty as his Father, to order himſelf and Actions, as he ſees fit. And he ought to uſe it thus, if for no other reaſon, yet for this, becauſe he naturally loves himſelf, and conſequently prefers his own Good to any other Perſon's; which alſo is a Right, of which he can't diveſt himſelf: and being thus oblig'd to preſerve his own Life and Perſon, and endeavour to ſubſiſt as happily as Nature permits, he can neither give his Father, nor any other whatſoever, an abſolute Power over his Life, or what is neceſſary to preſerve it.

But the Defenders of Arbitrary Power pretend, That Men are ſo far from a State of Equality, or Liberty, that they are born their Father's Slaves, and that theſe have an abſolute Power over their Lives: And that Monarchy, being founded on this Model, is altogether Arbitrary. But on the contrary, a Father is ſo far from acquiring any ſuch Right over his Child by being the Inſtrument of his Birth, that he is more oblig'd than any other whatſoever, to take care of and preſerve it. There is nothing in the State of Nature, which can give him the Property of the Child's Life (whom he ought to conſider as God's Creature, not his own) but what may give him the ſame Power over another Man, nay to another Man, and even to his own Child, the ſame Power over him. If a Child, having attain'd the Age of Diſcretion, continues with his Father, he ought to obey him as the Chief of the Family; or if the

Child

Child has further expectations from his Father, he ought moreover to obey him, from a prudent Conſideration, in every thing that will not occaſion him more hurt, than the Advantage he expects from his Father would over-ballance. But theſe Conſiderations ſet aſide, all that a Child owes its Parents is Reſpect, Acknowledgment, and Aſſiſtance in caſe of need; and if this be all that it owes its Mother, and thoſe who have foſter'd it, ſuppoſing it expoſed, What Pretence can the Father have to an Abſolute Power over it? If he had receiv'd ſuch Power by the Law of Nature, he could no more be diveſted of it, than of the Honour and Reſpect which the ſame Law gives him; ſo that he cannot thence derive any but Paternal Government. Beſides, as Fathers only would thus be capable of having Subjects, none could have any other Subjects than thoſe they had brought into the World, and after their Death even theſe would become free: becauſe this Power being inherent in the Perſon, the Father could no more diſpoſe of it to any other by Will, than of his own Relation as Father; and by conſequence his Children would remain in the State of Nature, until they quitted it by mutual Conſent.

It is certain, they are naturally free, and have no Power one over another, that is not reciprocal, except they loſe their Equality in forming together, by their own Conſent, a Body Politick; which cannot be but by conſigning to the major Part, the Power to do what they ſee fit for the Society it ſelf. This Power muſt at firſt be plac'd by Conſent, either expreſs or tacit, in the majority of the Members, who, when the greater Multitude do's not hinder, retain it themſelves, or elſe commit it to ſome one, who acting as their Repreſentative, ought to be obey'd as long as he governs agreeably to the End for which he was eſtabliſh'd; yet who, when he acts contrary to that End, in the judgment of thoſe who deputed him for that purpoſe, do's in ſome ſort make that Power naturally, as it were, revert to the People. When a Government is once

founded

founded by Conſent of the intereſted Parties, it ſubſiſts on the ſame foot; becauſe the Power of the firſt Governors being dead with them, the Laws preſerve their Authority by means of thoſe who come after; they being preſum'd to approve of them till they declare the contrary, otherwiſe Laws could not be repeal'd nor chang'd but by thoſe who made them. Moreover, as Laws derive their Authority from the preſent Government, ſo the Government owes the Power of enforcing their Obſervation, not to any Agreement of paſt Ages, but to the Conſent of the preſent Generation, which they ſufficiently expreſs in deſiring to be protected by the Government in their Perſons, Liberties and Eſtates, and alſo in agreeing to what is neceſſary to attain this End.

This is the only way that moſt People have taken to ſhew to every Generation, that they approve the Government; and 'tis this which makes every one ſubject to the Government under which he lives. So that all Governments, as well the Preſent as Paſt, have no other Foundation than the Conſent of the Partys intereſted, either expreſs'd or imply'd, either aſſembl'd together, or apart.

It is of no weight to object, That a Government by Conſent cannot preſently be erected, ſince 'tis not to be preſum'd, that all the Members of a Society ſhould inſtantly aſſemble to give it: becauſe tho few do immediately agree to have one only Sovereign Power, it ſufficeth, that the reſt do recognize by their Behaviour an Authority ſo advantageous to them. There's no Reaſon to deny People's coming at firſt out of the State of Nature, in the ſame manner as they have done ſince. They who make the foregoing Objection, may in like manner prove, that Languages are not of human Inſtitution; becauſe that Words having naturally no ſignification, we cannot imagine that all who ſpake the ſame Tongue, could aſſemble together to fix by common Conſent certain Ideas to certain Sounds. Nevertheleſs this depends not only upon the Conſent of thoſe who

who firſt ſpake one certain Language, but alſo on thoſe who uſe it afterwards: For none can make any Alteration or Addition, without the expreſs or tacit Conſent of thoſe who ſpeak it. They who ſay that almoſt all the preſent Governments owe their Riſe to Conqueſt, and not to the Peoples Conſent, attribute a ſtrange Virtue to the deſolating of Provinces, to the ruining of Citys, and to the ill Treatment that People undergo from their Conquerors; ſince this not only abſolves People from the Obedience they ow'd their former Governors, who endeavour'd to preſerve them from theſe Evils, but alſo renders them, and their Poſterity, Slaves to the Conquerors. But if this is abſurd, as without doubt it is, the Conqueror's Right muſt be acknowledged to be founded on the Conſent of thoſe, who being abandon'd by their Governors, becauſe no longer able to protect them, repoſſeſs the Rights of Nature, and are at liberty to ſubmit themſelves to the Conqueror, who promiſeth them Protection: 'Tis on this foot that Frontier Towns often change their Maſters more than once in a Campagn, and ſwear Allegiance to them. It's evident, that all Nations, whoſe Original we know, without excepting ſo much as the Jews, have form'd their Bodys Politick by conſent of the intereſted Parties: and it is further certain, that the Changes which have ſince been in theſe Governments, ſubſiſt on the ſame Baſis; and by conſequence, if all Governments were founded each after the ſame manner they have been ſince changed, there's no one in being, which has more Power over the People, than the People could give.

Men having no Power over their own Lives and Members, which Nature forbids them to neglect; the Authority of Government ariſes not from hence, That People have given an Abſolute Power of Life and Member, but from the natural Right every one has to preſerve himſelf, and to prefer his own Good to any other Perſon's.

God

God, in giving Man this one innate Principle, inſeparable from his Nature (*i. e.* to ſeek his own Happineſs, and endeavour to live as conveniently as Nature permits) has given him Right, or rather has enjoin'd it as his Duty, to do all that is proper to attain this End. This includes not only a Right to ſeek Reparation for an Injury receiv'd, but alſo to puniſh the Perſon who did it; and this in proſpect of preventing the like for the time to come. Men's mutual Security, as well as the Bonds of Nature, obliging them to aſſiſt one another, they have Right to take proper Meaſures to ſucceed herein; ſuch as are the Agreement to be govern'd conformably to certain Laws known and ſtated, to eſtabliſh a certain Sovereign Authority for determining their Differences according to thoſe Laws; and to aſſiſt with all their Force in every thing, that relates to their common Defence and Safety. So that the Power, which belongs to each Individual in the State of Nature, upon their Renunciation, is veſted in the Magiſtrate, whoſe Right of puniſhing can extend no further, than that Right did in the State of Nature, wherein every one was oblig'd to do all he could for preſerving the Life and Liberty, the Members and Goods of others, while his own are not in danger. Government is ſo far from diſcharging Men from this Obligation, that its chief End is to protect them in all their Acts not prejudicial to others: And conſequently in matters of this kind, Men are ſtill in the ſtate of Liberty and of Nature. So that no Conſent or Aſſociation, which Men make with one another, is what puts them out of the State of Nature; but this Political Union, by which they ingage themſelves to a reciprocal Defence, and to aſſiſt the Magiſtrate in puniſhing thoſe Offences, which the Publick Good permits not to go unpuniſh'd. Whereby it appears, that the State of Nature is of greater extent than is commonly thought; ſince not only all Nations continue in that State with reſpect to one another, and

every private Perſon of the ſame Society, when the Danger is too ſudden to allow recourſe to the Magiſtrate: but all Men are likewiſe ſo born, and ſo continue, with reſpect to all things they can do without prejudice to others.

2. The other Point to be examin'd into, is what Power this gives the Magiſtrate in matters of Religion. No body can doubt his being fully authoriz'd to puniſh what is evil and vicious, or contrary to Morality, and to reward what is good and virtuous. If he has Right to puniſh thoſe who injure one ſingle Perſon, he has no leſs Right, without doubt, to puniſh thoſe who annoy the whole Society; whether in denying God's Exiſtence, or that he intermeddles with the Government of Mankind, in order to reward ſuch as endeavour the Publick Good, and to puniſh thoſe who oppoſe it. Such a one ought to be look'd on as a common Enemy, ſince he undermines the Foundation whereon their Safety and Happineſs are chiefly built. Such a one might be puniſh'd by every body in the State of Nature; conſequently, the Magiſtrate ſhould have a Right to puniſh not only all ſuch as deny the Exiſtence of a Deity, but alſo ſuch as render his Being uſeleſs, in denying his Providence, or refuſing him Worſhip, or that are guilty of formal Blaſphemy, Profaneneſs, Perjury, or vain Swearing.

Religion is ſo neceſſary for the Support of human Society, that it is impoſſible it ſhould ſubſiſt, as Pagans no leſs than Chriſtians confeſs, if an inviſible Power, that over-rules human Affairs, be not admitted. The Fear and Reverence that People have for ſuch a Being, proves more effectual to make Men diſcharge the Dutys, whereon their Happineſs on Earth depends, than all the Puniſhments which Magiſtrates can threaten. Atheiſts themſelves can't deny this; and 'tis for this reaſon, that they ſuppoſe Religion a politick Contrivance, to keep Societys more eaſily in order. The Accounts of ſome barbarous Nations, that were ſaid

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to have no Religion at all, have been contradicted by better Accounts; or else those Nations form no Societys, and can scarce be rank'd above Beasts.

Behold here Sentiments most true, but very different from Mr. *Bayle's*, who in his *Reflections on Comets*, and in the *Continuation*, has asserted, That Religion is not necessary to Society, and that a Commonwealth of Atheists might as well subsist, as the very best among the antient Pagans. I'll not here stand to confute this Opinion, which probably none are like to take up with, and of which, by the Blessing of God, we shall never see an Example: But it requires a great degree of Charity to believe it is with a good Intention, that he labours all he can to extenuate the Hatred which the World conceives to Atheists, tho he knows that no body approves it. If any of his Adversarys had dar'd to advance any thing like this, he would not have spar'd to draw the odious Consequences, that would have follow'd from it; and if others do not treat him after the same manner, he is beholden to the Temper of those, with whom he is concern'd; which should make him, if he has the least Prudence, forbear to be too provoking.

Remark of the Author of the B.C.

But let us hear our Author:

It appears hereby, says he, how absurdly they reason, who, to procure to themselves an Independent Power in Religious Matters, pretend wholly to exclude these from the Magistrate's Power; under pretence, that his Province is only to take care of the Good of the Civil Society. For he ought to concern himself in all things, which regard the Good of human Society in general; and under this denomination the most essential parts of Religion must be reckon'd: which yet, thro the Prevalence of Custom, are made to pass for Civil Matters, to distinguish them from such others as some call Religious.

Men having, for the most part, mix'd with their Religion certain Points purely speculative,

and a certain Form of ſerving God with ſtated Ceremonys, and other indifferent Matters; and being ſo divided among themſelves, that there is ſcarce any Nation, which is not hereby diſtinguiſh'd from others, as well as by its Situation: The Queſtion now is, Whether the Magiſtrate has any Power in this particular; which cannot be reſolv'd, but by examining, Whether in the State of Nature Men have any reciprocal Power over their Actions in theſe Matters.

Nothing can be clearer than this, which is no more than to ſay, That all being under an indiſpenſable Obligation to ſerve God, in the manner they judg moſt agreeable to his Will, and to follow the Dictates of their own Conſciences in all things which concern Religion; no one can give another the Right of judging for himſelf: For hereby his Religion would depend abſolutely on that other, who might oblige him to act againſt his Conſcience, and againſt what he believes forbidden. But as no body has ſuch a Power over himſelf, whereby (ſuppoſing him Fool enough to pretend it) he could authorize the Magiſtrate to uſe him ill on account of his not ſerving God in that manner, which the Magiſtrate thinks conformable to the Divine Will; ſo he can leſs give the Magiſtrate this Power over another: For no body wrongs his Neighbour in ſerving God according to his own Conſcience, or in believing, or profeſſing to believe concerning ſpeculative Points, what he thinks right. And the only thing, that gives any one Right, in the State of Nature, to puniſh another, is the Wrong ſuffer'd from him. Further, it may be ſaid, That whoever in this State of Nature ſhould attempt ſo abſurd a thing as this, or endeavour to engage others thereto, might juſtly be treated as a common Enemy to the Liberty of Mankind; and conſequently, they who aſſiſt the preſent Powers in perſecuting for Religion, and in taking away any one's Life, Liberty, or Goods, upon this pretext, are guilty of as great a Crime, as

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if they acted that Part themſelves: The Reaſon whereof is, becauſe, with reſpect to ſuch Matters, Men are ſtill in the State of Nature, and without any Repreſentative Power to determine for them what they ſhould believe or profeſs. Nor is it poſſible, that Men ſhould ſubject themſelves to any Government, but with the View of being protected in ſo eſſential a Duty, as is the ſerving God according to Conſcience, as well as in any other thing whatever.

'Tis a great miſtake to imagine, that the Magiſtrate's Power extends to a Right of puniſhing for indifferent Things: For if ſo, he might take away all ſort of Liberty, and render himſelf intolerable, by hindring every one from managing their own private Concerns, as they ſee fit; whereas all have a Right not only thereto, but alſo to form Societys as they pleaſe, for the ordering their own Concerns, or for their Pleaſure; and no body can with Juſtice obſtruct it, as long as the Publick receives no prejudice thereby. If the Magiſtrate hinders any body from acting thus, he manifeſtly perverts the End, for which his Power was committed to him, which is the Preſervation of every one's Liberty in all things, ſo long as they wrong not others. And for this reaſon, the Magiſtrate's Power, the Extent whereof is regulated by the End, which People propoſe in forming a Society, or any certain Government: For this Reaſon, I ſay, this Power extends not to things indifferent; but only to thoſe, wherein the Publick is intereſted. And I rank in this number the Determination of all thoſe things, which the good of the Society permits not to be left in Uncertainty. So that tho Conſcience was not concern'd in the Way and Manner of worſhipping God; yet the Magiſtrate has no Right to deprive Men of their Liberty in this reſpect, but is oblig'd to protect them in that Form of Worſhip, which themſelves chuſe, as well as in all other indifferent Matters.

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But becauſe the Doctrine of Perſecution is, notwithſtanding all this, maintain'd by ſuch as have Regard only to their own By-Intereſts, and act with particular Views, 'tis fit to add ſomething hereunto. It is contrary to the Honour of God, and alſo to the Good of Mankind, that the Power of Men ſhould exceed its ſtated Bounds. For God, who requires nothing impoſſible to Men, demands no more of us at preſent, than a juſt and ſincere Inquiry after our Dutys: And provided we afterwards demean our ſelves conformably to ſuch Inquiry, we ſhall never fail of his Acceptance. Men ought alſo to be ſatisfy'd with us in this reſpect, ſince they have no Right to annex Rewards and Puniſhments to things, which include nothing of Morality; becauſe this tends to obſtruct Peoples performing that great Duty, of never embracing a Religion without Examination.

For it's manifeſt, that Men being made capable of chuſing their Religion, they are diverted from impartially examining ſuch Opinions as have Rewards annex'd to them, only for fear they ſhould be found falſe; and from carefully conſidering thoſe which carry Puniſhments along with them, for fear they ſhould be found true: conſequently every one ought to beware how he annexes Rewards or Puniſhments to Opinions. And the Magiſtrate ought to treat all his Subjects alike, tho ever ſo much differing from his own or others Sentiments in theſe Matters. A Conduct contrary hereto muſt needs prejudice thoſe who have not yet choſe their Religion (at leaſt with Knowledg of its prime Cauſe) and muſt needs make Hypocrites, in the moſt ſolemn Acts of Religion, among thoſe who have already made their Choice; and who, without theſe Obſtacles, would for the moſt part, have done it with more Sincerity.

There is no need to ſhew how injurious it is to the Deity, to embrace blindly all that is ſaid of it, or to ſerve it in a manner, which one thinks unat-

unacceptable to it; but I maintain, That it is not leſs contrary to the Good of human Society, ſince the Bonds of Conſcience being diſſolv'd by a continual Diſſimulation, People are thereby diſpos'd to commit all ſorts of Villany. When it goes not thus, it falls out, that they, whom the Commonwealth ought chiefly to protect, that is to ſay, Perſons of Conſcience, are expos'd to ſuffer ill Uſage, or conſtrain'd to take Arms to defend their natural Rights, which no human Power can take from them; whence it comes to paſs, that Violence, which ought never to be employ'd, but to prevent a greater Ill than it ſelf, is upon this Occaſion follow'd with moſt fatal Conſequences.

To prevent theſe, the Magiſtrate may puniſh thoſe who preach up Perſecution, as juſtly as he may puniſh all that perſuade People to commit Theft, or Murder, and other like Crimes: For it is the utmoſt Depravity of the human Mind, to cauſe thoſe to ſuffer, who guide themſelves by the beſt Rule afforded 'em, in the Choice of thoſe Opinions, which appear beſt in their Judgments, and without which they can't be good Subjects either to God or Man. Perſecutors alone, unmov'd by Pity, or any other Conſiderations, which frequently diſarm other Criminals, continue their Cruelty's not only till they have made Men loſe all Senſe of Virtue, by deſtroying Conſcience, the greateſt Security which Men can have from one another; but alſo till they blaſpheme and outrage God himſelf, by a horrid Diſſimulation. So that Perſecution includes all Crimes imaginable, in deſtroying the End of Religion, the Honour of God, and the Good of Mankind as well future as preſent: conſequently the Magiſtrate ought to puniſh all, who teach a Doctrine ſo pernicious; nay, he ſhould not ſuffer any to have either Eccleſiaſtical or Civil Preferments, till they had expreſly renounc'd it.

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Remark of the Author of the B.C.

This is excellent Advice, and, being follow'd, would put an end to infinite Diſorders; which the Powers themſelves, whoſe Intereſt it is to quell them, do yet viſibly encourage, in rewarding Perſecutors, either thro Weakneſs, or otherwiſe; and in ſuffering the more moderate to periſh thro Want, or at leaſt to live and die in Obſcurity. The Heart of Man being ſo fram'd, as all the World knows, that People will always follow the Party which has Rewards on its ſide, and be aſham'd of, and abhor that which is attended with Miſery and Contempt; it ſhou'd not excuſe, that they don't actually perſecute. There ought to be no Favour ſhewn to thoſe who harbour the Principle, and promote it as much as they can. God will require no leſs account for the Evil, which People ſuffer to be done when they could prevent it, than for what they actually do: And he will equally puniſh 'em for not doing the Good which was in their power, as for that which might have been in their power, had they us'd their Endeavours.

But it will be inquir'd here, ſays our Author, in caſe the Conſcience of any Man makes him act ſo, as the Good of the Society requires he ſhould be reſtrain'd by Force, whether the ſacred Rights of Conſcience bind the Magiſtrate's hands? It's anſwer'd, Firſt, That Atheiſm, intirely deſtroying Conſcience, can't pretend to be tolerated, under pretext that it cannot with a good Conſcience follow other People's Opinions. Moreover, 'tis the Doctrine of Perſecution alone, that makes Men act like Devils for the Honour of God; and I ſee not, that without this Doctrine any ſuch caſe can happen: But ſuppoſing it ſhould, the Magiſtrate may employ his Power to reſtrain them from doing miſchief; becauſe, as Men in the State of Nature have Right, and alſo are oblig'd in Conſcience, to defend themſelves againſt thoſe who attack 'em, altho the Aggreſſors pretend Conſcience, they have alſo Right

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to inveſt the Magiſtrate with that Power, as well as with any other they devolve upon him; elſe all Criminals would defend themſelves by the ſame pretext. Not but if theſe, here ſpoken of, have done all they could to be better inſtructed, they may be innocent before God; yet this hinders not the Magiſtrate from diſcharging his Duty in protecting his Subjects: but ſtill he has no pretence to employ Force when no body is wrong'd, even when Conſcience is out of the Caſe, and much leſs when Conſcience is concern'd, as appears from the Reaſons already given. So that the Magiſtrate's Power regards only ſuch Religious Matters as are alſo Civil, that is, wherein the Publick it ſelf is intereſted.

To go yet ſomewhat further: If any imagine, that the Sovereign has a Right to uſe Force to propagate Truth within his State; it muſt be alſo ſuppos'd, that he has the Right of judging, for his Subjects, what is true, and that they are oblig'd to conform themſelves to his Deciſions. For the Right to puniſh People, becauſe they don't ſubmit thereto, neceſſarily ſuppoſes, that the Sovereign has a Right to judg for them.

Yet it can't be ſaid, That the Sovereign has a Right to determine for the People, what is true or falſe in Matters of Religion: For then it would follow, that as often as the Sovereign chang'd his Opinion in any point of Religion, which very frequently happens, the People muſt change theirs too, or be guilty of Rebellion, and liable to be puniſh'd as ſuch. But none will yield this Conſequence: For thus an Heretical Prince would have Right to puniſh the Orthodox; and a Mahometan, or even a Pagan Prince, might treat Chriſtians ill, and yet they muſt not complain. There is nothing more manifeſt. And 'tis the ſame thing, if Eccleſiaſticks are ſubſtituted in the Sovereign's room: For if a Synod has Right to judg what the People ought to believe, and none may refuſe to admit its Deciſions, whatever

Remark of the Author of the B.C.

Opinion the Synod may be of, it muſt be entertain'd without examining into it. When that determines Images ought not to be worſhipped, People ought to refrain; and when they determine the contrary, as it fell out in the Eaſt, during the Controverſy about Images, they muſt be worſhipped. There is not a Society of Chriſtians now in being, which would avow in general, that the Subjects of any State whatever are oblig'd in Conſcience, to ſubmit themſelves entirely to the Deciſions either of their Sovereign, or of the Eccleſiaſticks of the Country, leſt they ſhould condemn themſelves; but there are divers Societys however, which exerciſe, as Right, what they dare not grant to others, and do that themſelves, which they condemn in others.

As to the Queſtion, whereto our Author has anſwer'd with a little more Warmth; there may an Example be given thereof in the *Indian Maſſars*, whom the Voyages of *Siam* ſpeak of, and who from a furious Zeal for Mahometiſm, ſometimes ſlay all that come in their Way. Theſe People are to be condemn'd by God and Man; becauſe they examine not whether their Zeal be well grounded or not; and becauſe they aſſume a Right over the Lives of others which they have not, and which they would not that others ſhould exerciſe on them. 'Tis manifeſt, that People have a Right to oppoſe with Force all of this ſort, whatever Principle they act by: And if it can be ſuppos'd, that ſuch People have done all they could to examine their Religion and Deportment; and have thereupon judg'd, that they ought to act in ſuch a manner; yet ſtill People would not have leſs Right to defend themſelves againſt them: and if God pardons them, 'tis as he pardons Fools and Madmen. The ſame Anſwer may be given, if they are ſuppos'd ſo ſtupid, as to be incapable of forming any Idea of Morality. Reaſonable People have a Right to guard themſelves againſt theſe, as againſt Savage Beaſts, and God will deal with them as their Stupi-

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dity deſerves. 'Tis not however, that I grant one or other of theſe Suppoſitions: For I don't think there is a People living in Society, who have no Idea of Juſtice and Equity, and who might not be condemn'd by the ſame Ideas; but this is not a Place to treat of that Subject. Let us hear what the Author adds in his following Diſcourſe.

There's no need, ſays he, of a greater Power than I have here yielded, to attain the Ends propos'd by Government; ſince hereby the Magiſtrate has a Right, when the Good of the Society requires it, to deprive any whatever, whether Laick or Eccleſiaſtick, of the Church's Communion, by Baniſhment, Impriſonment, or Death. He may ſend them to Places, where there is no Exerciſe of the Chriſtian Religion, when the Good of the State requires it, and oblige them further to fight againſt ſuch as are of the ſame Religion with themſelves: which makes it appear, that the Publick Good is the Sovereign Law, that all Conſiderations ought to give way to it; and that no Eccleſiaſtick can be independent of the Magiſtrate. So that there cannot be two Independent Authoritys in the ſame Society. And further, the Magiſtrate has a Power over Men aſſembled for the Worſhip of God, as well as for any other Purpoſe. The Supreme Authority, far from having a Right to treat People ill, is oblig'd to protect them againſt all the Ill that is offer'd them, ſo long as they do nothing prejudicial to the Civil Society; but more eſpecially, if their Aſſemblys tend to promote the publick Good, as theirs do who meet to ſerve God according to their Conſciences.

It may be ſaid, moreover, in ſome reſpect, That the Magiſtrate's Power is greater with reference to the Church, than to other Societys: Becauſe no more is requir'd of theſe, than that they maintain no Principle contrary to the Common Good; but in the Church, Care ſhould be taken, that ſuch Principles be taught as tend to the Welfare of the State; and for that end, that Miniſters be eſtabliſh'd for

inſtructing People publickly to avoid every thing which the Magiſtrate has right to reſtrain by force, and to do every thing which the Good of the Society requires, and deſerves reward: For this laſt Power is leſs than that of puniſhing and rewarding, and tends to the ſame end. Nothing is more abſurd, than to deprive the Magiſtrate of the right to authorize publick Perſons to admoniſh him of the Duty he owes his Subjects, and his Subjects of their Duty to him, and to ſupport their Remonſtrances by the Reaſons and Motives on which theſe Duties are founded. Nothing can hinder him from laying theſe Charges on Perſons, who have otherwiſe no ſort of Juriſdiction in matters of this nature: And as the Magiſtrate may eſtabliſh Miniſters for this purpoſe, ſo he may diſcharge or ſilence them, if they perform not their Duty, or demean themſelves contrary to the end for which they were eſtabliſh'd.

If Miniſters acquire more * Riches than conſiſt with the Intereſt of the State (as it may fall out) the Magiſtrate has a right to redreſs this Abuſe. The reaſon is, that Men entring into Political Societies, neceſſarily ſubject their Eſtates to ſuch Laws as the Magiſtrate ſhall make for the Publick Good; and conſequently he may prevent People's diſpoſing of their Eſtates in a manner which redounds to the Prejudice of the Publick, and to adjudg ſuch Diſpoſitions void. The ſame reaſon that obliges them to make Statutes of *Mortmain* and other Laws, againſt ſuch Diſpoſitions as People would make in favor of Eccleſiaſticks, allows 'em to take away what has been given. But the Good of the Society being the only Reaſon, which gives Magiſtrates a Power over their Subjects Eſtates, there appears no reaſon, why they ſhou'd be depriv'd of any part thereof for the promoting of Opinions among 'em, which have no relation to the Publick Good. As 'tis not to be preſum'd, that any one, in entring into Civil Society, ſhould deſign to give the Magiſtrate Power to deprive him of any part of his Eſtate for the Maintenance of Opinions, which no ways relate to the Benefit of the Publick, and which are with-

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* *The Author here means Eccleſiaſtical Preferments, and ſuch as are appropriated for the uſe of thoſe, who perform ſome Publick Office in the Church, and not their temporal Eſtates.*

al, as he thinks, prejudicial to his Soul; ſo no Perſon having under this pretext a Power over the Eſtate of any other, can give his Repreſentatives more Power than himſelf had. For my part I ſee not how their Reaſoning is to be anſwer'd, who ſay, it may as well be preſum'd, that the Members of a Society have empower'd the Legiſlature to chuſe ſpeculative Opinions for 'em, as to take a part of their Eſtates for the Maintenance of ſuch Opinions; and that if it be the higheſt Injuſtice to conſtrain People to profeſs ſpeculative Opinions, which they don't believe, there is no more Juſtice in making them contribute to maintain them; particularly, if it be conſider'd, that they have no other effect than to promote Superſtition in a great part of the World.

Beſides this, when great Advantages are annext to ſuch Opinions, it not only happens, that Eccleſiaſticks take them up, whatever they be, and invent a thouſand Sophiſms and diſingenuous Subtiltys to maintain them, to the Prejudice of Truth; but Humanity alſo becomes in a manner extinct among Chriſtians, who are hereby divided into different Sects, and whoſe Eccleſiaſticks burn with implacable hatred towards thoſe who are not of their opinion, and endeavor to raiſe the like Paſſions in their Hearers. Nor is it to be doubted, that this is the Cauſe which makes Chriſtians treat one another with ſo much Barbarity, if it be conſider'd, that ſuch Effects ariſe not from a Difference in thoſe Opinions where the Clergy have no Intereſt.

This is all the Power which Men can give the Magiſtrate, in matters of Religion. And what is not included within theſe Bounds, is not under any human Powers, but remains in the State of Nature, and depends only on God and Conſcience. For, in fine, Religion does not deſcend from Father to Son, by Inheritance, as Land does; but every one, when he is capable, ought to chuſe what Church he'll be of: and the only Motive which ſhould determine Men herein, is the Salvation of their Souls; for they are oblig'd, tho all human Powers command the contrary,

trary, to join with that Church which appears moſt likely to lead 'em to Salvation. For the ſame reaſon, they ought to leave other Churches, and by conſequence they have an unalienable Right to judg of the Conditions, whereby People are admitted to the Communion of any Church, before they enter into it. 'Tis not becauſe they were Members yeſterday, that therefore they are ſo to day, but becauſe they continue to approve the Doctrine of that Church; unleſs it might be ſuppos'd, that Churches are like *Traps*, which have an eaſy Entrance, but when People are once in, they muſt for ever after abide there, either for the Pleaſure or Advantage of the *Trap-ſetters*. So that all Men, in their forming Societys for the Worſhip of God, are in the State of Nature; and neither Prince nor Prieſt have more Power over a Peaſant, than a Peaſant has over them, but they ought alike to be govern'd by the ſame Motive. And altho Churches can no more than any other voluntary Societys, aſſemble together, while the Members agree not on a certain Place, on Perſons to officiate, and other like Circumſtances; yet no Perſon has a right to preſcribe herein to any other, and every one for himſelf has a Right to a Negative Vote, in ſuch ſort as leaves a perfect Equality: For no Perſon has more Power over another, than that other has over him. And every one ſhould judg for himſelf concerning what paſſes of this nature, not only when he joins himſelf to any Church, but alſo afterwards.

So that if the Determination, whereon it is thought neceſſary to form an Aſſembly for ſerving God, muſt be call'd *Eccleſiaſtical Government*, there can be none more Popular than ſuch a one: For no one is hereby oblig'd to comply with the Majority of Votes, but they, who are not ſatisfy'd with one Aſſembly, may form another after the beſt manner they can; for our Lord has promis'd, That *where two or three are gathered together in his Name, he will be in the midſt of them.* Nay, the thing it ſelf is not to be otherwiſe underſtood, without deſtroying

ſtroying the very Eſſence of a Church; for whoever aſſemble upon any other Motive, than of ſerving God after the manner they judg moſt conformable to his Will, deſerve not the Name of a Church, but rather an Aſſembly met together to make a Mockery of Divine Service.

'Tis not to be doubted, but all this is ſtrictly true, and agreeable to the Principles of the Reformation, which could not have been lawfully made, but upon theſe Foundations. Every one muſt confeſs thus much, that reflects ever ſo little on this matter. But it ought to be conſider'd, that Men and the Societys they form, cannot long keep cloſe in all things to the rigorous Obſervation of the moſt fundamental Laws, on which their Societys are founded. So that in Civil Society, which is without doubt founded on Mens free Conſent in the State of Nature, many things ſoon creep in, which are contrary to the firſt Inſtitution; and if Men could be reduc'd thereto without Tumults and Sedition, it would be well, no doubt, to do it as often as there is need for it. But as Cuſtoms once rooted are not eaſily chang'd, and that often great Diſorders are occaſion'd by attempting to reform them, things of this nature ſhould not be haſtily undertaken. It ought *1ſt*, to be conſider'd, Whether the Good intended to Society is more conſiderable, than the Ill it would ſuffer in endeavoring to procure that Good. *2ly*, Whether the Methods taken to attain that End are practicable, and there be an appearance of ſucceeding. In caſe it be impoſſible, or ſo very difficult to ſucceed, that in human Prudence a Man cannot promiſe himſelf a Change for the better, and that the Society is like to ſuffer a greater Ill for the curing of a leſs; it would ſavour of Raſhneſs, and alſo of Injuſtice, to attempt to redreſs ſuch an Ill. If we ought to aſpire at Perfection, we are nevertheleſs to prefer a tolerable Condition before a general Confuſion, which one does not know but may probably happen. 'Tis the very ſame in an Eccleſiaſtical Society; 'twere to be wiſh'd, that things

Remark of the Author of the B.C.

things went therein according to the Ideas of the moſt correct Reaſon. But if there are no means, humanly ſpeaking, of remedying intirely the Diſorders there ſeen; and if, in attempting to reform them, Chriſtians would receive more Prejudice, than they cou'd expect Good from the intended Reformation, 'tis better to leave things as they are, and to have a tolerable Church than none at all. There is alſo a third Conſideration, which is, that People are often govern'd with more eaſe, and better by one Form of Government, to which they are inur'd, altho defective, than by a better, to which they are not accuſtom'd. And in this caſe it would be ill to make a Change; becauſe, in point of Practice, the queſtion is not, what is beſt, conſider'd ſimply in it ſelf; but what will prevail moſt on any certain People towards attaining the End of Eccleſiaſtical Government, that is to ſay, of Piety and Virtue. 'Tis this that makes People comply with many things, which otherwiſe they would have no regard to. All that any can do, is to admoniſh Chriſtians of their Diſorders by Diſcourſe and Books, to the end they may correct themſelves by little and little, if poſſible; and that the Ideas of Perfection, at which we ought to aim, be not quite loſt. And if there be any Chriſtian Societys, which will not bear ſuch Animadverſion, however made, as others think they need, they are to be abandon'd, as People infected with Tyranny, and others ſought after. But before it comes to this, People ought to examine what they are doing, leſt they fall from a leſſer Ill into a greater, which often happens. I don't doubt, but an Author of ſuch Ability and Penetration as the preſent, maturely conſiders all this: Let us now ſee the Courſe of his Reaſoning.

One thing, ſays he, which has not a little contributed to make Men believe there is ſuch a Government by Judges and ſupreme Tribunals, in Religious as in Civil Affairs, is, That the Magiſtrate annexes Preferments and other Advantages to the Teachers of his own Religion, excluſive of all others; and

that

that he names Perſons to admit ſuch as pretend to theſe Employs, on certain ſtated Conditions, or to depoſe them on certain occaſions. The chief of the Clergy being herein the Magiſtrate's Deputys, and the greateſt part of 'em of the Religion which has Profit annex'd to it, ſay, *That the Laws eſtabliſh their Religion and their Church*; and treat thoſe who ſeparate from them as Schiſmaticks, pretending they are damn'd who are not of the Religion eſtabliſh'd by Law. But whatever noiſe the Clergy make hereupon, none ought, for that reaſon, to loſe the Right of judging for himſelf in Matters of Religion, unleſs he would in all Countrys be of the Religion to which theſe Profits are annex'd. If any Magiſtrate has a Right of judging to what Religion theſe Profits ſhould be annex'd, all other Magiſtrates ought to have the ſame Right; and conſequently, this Motive ought to be no more in one Country than in another, the Reaſon why any ſhould embrace the Magiſtrate's Religion.

As to what remains, there are no Reaſons, that the Clergy can make uſe of to exclude the Magiſtrate from Eccleſiaſtical Affairs, which are not altogether as ſtrong in favor of natural Right againſt them. If Eccleſiaſticks have a Right to preſcribe Conditions, upon which People are to be admitted to Communion; does not Religion depend as much on them, as it would on the Magiſtrate, if he had ſuch a Power? If the Right to oblige People to acquieſce in an Expoſition of the Scripture, be the ſame as to make a new Scripture, is there any Sect ſubject to Error, that can ſovereignly expound it? In fine, no Perſon can have a Right to a certain End, without a like Right to make uſe of the Means neceſſary to attain it; ſo, if Men are oblig'd to ſerve God after that manner they think moſt agreeable to his Will, they muſt needs have an unalienable Right to regulate all they think neceſſary thereto: otherwiſe they muſt be oblig'd to ſerve God in a manner they believe diſagreeable to him, when they who govern them by Divine Right command

it; or else to continue without any Worship, if these Governors will not enact certain things, without which Divine Service cannot be perform'd. 'Tis not to be pretended, That tho these Rights be in the Clergy, yet in this case they return to the People: For nothing can return to them, that was not in them before. The Civil Power might urge somewhat like this, but the Clergy cannot; because they pretend not to hold their Rights of the People.

Nothing can be more absurd than to maintain, That there ought to be two Independent Powers in a Society; That otherwise Christianity could not have subsisted, when the Magistrate was not Christian: For before the Coming of Jesus Christ, all Religious Societys which were not of the Magistrate's Belief, like so many Synagogues of the Jews spread thro the *Roman* Empire, subsisted by their natural Right, without e'er dreaming of what People call *Imperium in Imperio*. Assemblys, which are not of the Magistrate's Faith, can preserve themselves in like manner by their natural Right; so that 'tis altogether vain to talk of Power, independent and distinct from the natural Rights of the People, as if it was necessary for the Preservation of the Church.

But the Pretences of the Clergy ought here to be noted in few words, who commonly maintain, That God has establish'd two Governments independent of one another; one for Ecclesiastical Matters, and t'other for Civil: That each of these Governments has a Legislative and an Executive Power, without which they could not subsist: That the Ecclesiastical Government belongs to the Clergy by a Right that admits no Change, which they derive from Christ and his Apostles, and which they ought to enjoy to the end of the World: That by virtue of this spiritual Empire, Ecclesiasticks have a Right to make Laws, not only in things indifferent, such as Ceremonys, but also in points of Faith; or to determine what People ought to believe and profess: That they can constrain People to obey their Orders, by means of

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Eccleſiaſtical Cenſures, the Effects whereof, ſay they, are infinitely more to be dreaded than all the Puniſhments of Civil Power; ſince 'tis no leſs than ſhutting Heaven-Gates, and delivering over to Satan ſuch as are ſo unhappy as to incur theſe Cenſures: That as no Perſon can be admitted into the Church but by them, they have alſo a Right to exclude ſuch as they judg ought to be excluded, and to oblige other Chriſtians to avoid having any Commerce with them: That for the exerciſing their Juriſdiction, they can eſtabliſh Judges, cite Witneſſes, and do what they judg fit to maintain it: That they are the only Judges, under God, of the Extent of their Juriſdiction; and that conſequently they can excommunicate their ſpiritual Subjects, for every thing which they judg a Contempt of their Authority, a Contumacy, or Diſobedience: That they have a great advantage above the Laity, becauſe they are capable of the higheſt Employs, as well Civil as Eccleſiaſtical; whereas it would be an impious Uſurpation, and a horrid Sacrilege, in thoſe who have not the Holy Spirit given them by Impoſition of Hands of the true Succeſſors of the Apoſtles, to exerciſe any Juriſdiction, or Office Eccleſiaſtical: That all that the Laity can do herein, is void of it ſelf, becauſe they han't the Call; which cannot be given, but by thoſe who ſucceed in a right Line from the Apoſtles.

The Conſequence hereof is, That their Authority is the moſt Abſolute, the moſt Arbitrary, the moſt Unlimited, and the moſt Unaccountable of any among Men: For in being thus veſted without the Intervention of the People, or thoſe who repreſent them, they can never be call'd to account for their Male-Adminiſtration; ſeeing they depend only on God, from whom they receive their Power.

This is the Opinion, which the Author pretends to confute in ten Chapters, which are full of Matter, and deſerve to be read with care; of which I ſhall only here give the Contents, becauſe I have not room enough to ſpeak of them at large, and that it is

much better to read the Original: The Author then undertakes to make appear,

1. *That there cannot be two Independent Powers in the ſame Society.*
2. *That the Spiritualitys which Clergymen claim, are either ſuch as are peculiar to the Divine Nature, or elſe were only beſtow'd on the Apoſtles: And that both theſe ſerve 'em as a Pretence for invading the Rights of the People, and of their Repreſentatives.*
3. *That the Clergy's pretending to have a Right to exclude People from the Church of Chriſt, is as abſurd, as their claiming a Power to debar 'em from the publick Worſhip is uncharitable: And that this Cuſtom was borrow'd from the Heathen Prieſts, particularly the* Druids; *whereby they have acquir'd to themſelves an Unlimited Authority. Of the Advantages they gain'd by it.*
4. *That 'tis inconſiſtent with the Reaſon, Deſign and End of Eccleſiaſtical Diſcipline, that there ſhou'd be any particular Immutable Form of it, or any Set of Perſons with an Unalterable Right to manage it; but that Men are oblig'd, according to the Circumſtances they are under, to alter and vary all things relating to it, as they judg moſt conducing to the End for which that was inſtituted.*
5. *The Clergy's endeavouring at an Independent Power, not only prevents the further ſpreading of the Goſpel, but is the cauſe of its having already loſt ſo much ground.*
6. *That the Clergy's claiming an Independent Power, is of all things the moſt deſtructive to the Intereſt of Religion, and is the Cauſe of thoſe Corruptions under which Chriſtianity labours.*
7. *That this Hypotheſis of an Independent Power in any Set of Clergymen, makes all Reformation unlawful, except where they who are ſuppoſ'd to have this Power do conſent.*
8. *That the Clergy's pretending to an Independent Power, has been the Occaſion of infinite Miſchief*

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to the Christian World, and is utterly inconsistent with the Happiness of Human Society.

9. *That this Hypothesis of none being capable of governing the Church except Bishops, and that none can be Bishops except those who derive their Power by a continu'd and uninterrupted Succession in the Catholick Church from the Apostles, destroys the very Being of the Church.*

10. *That the Catholick Church consists of several Bodys independent on each other; and that none of these have Power to make Clergymen except for themselves: and that the contrary Opinion necessarily supposes a Universal Bishop or Pope.*

The Author, who is said to be a Civilian, maintains all this by several Reasonings, several Examples, and several Authoritys of *English* Writers and others; and pleads his Cause with great Strength. There has not been a Book on this Subject wrote with so much Force and fine Reasoning; wherein the Proofs of what is advanc'd are taken from the first Principles, on which both Civil and Ecclesiastical Societys are founded.

As to what remains, the Author thinks he may justly hope, that none will blame him, that, as a Man, he has defended the Natural Rights of Mankind; nor that, as a Christian, he has endeavour'd to cut up Antichristian Priestcraft by the Roots. He imagines, that all true Protestants will approve his Endeavors to maintain, in their full Extent, the Foundations whereon the Reformation is built, and to re-unite the Spirits of Protestants, who live under different Forms of Government.

He believes also, That the National Church of *England* must approve his Design; because 'tis the only Method that can justify its Constitution, which supposes the Clergy to depend on the Royal Authority.

As to those, who are not of his Opinion, they ought not, he thinks, to take it ill, that they have an Opportunity given them to refute his Reasonings:

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For if they have Truth on their ſide, 'twill prove a Means to render it triumphant. The more Truth is ſearch'd into, the more it ſhines, eſpecially if ſuch as defend it have the Advantages of Senſe and Learning. If any Eccleſiaſticks ſhould go about to blacken him, he recommends himſelf to the Protection of the Laity, whoſe Intereſt he defends, and who have reaſon to encourage thoſe, who can write on this Subject, to do their utmoſt in defence of Publick Liberty.

There ſhould yet be ſomewhat more ſaid of the Preface, which is long, and particularly relates to the Conſtitution of the Church of *England*. If the Clergy form a particular and Independent Government; 'tis neceſſary, according to this Author, that they have Power, *1ſt*, To make Laws. *2ly*, To execute them. *3ly*, To tranſmit this Power to their Succeſſors. He pretends to make appear, that by the Laws and Cuſtoms of *England*, the Clergy, at leaſt ſince the Time of *H.* 8. have neither the Authority to make Laws, or execute them, nor yet to give any ſuch Authority to others, without the Order and expreſs Conſent of King and Parliament, without which nothing can have the Force of a Law in *England*.

There are here a great many ſmart Strokes againſt the *High-Churchmen*, whom he makes to paſs for *Jacobites*, and for People who have a great Inclination for a new kind of Popery: He applys to theſe a fine Saying of my Lord *Falkland*, taken out of *Ruſhworth*'s Collections, Vol. 4. p. 184. " As Sir *Tho.* " *More*, *ſaid he*, ſays of the Catuiſts, Their Buſi- " neſs was not to keep Men from ſinning, but to in- " form them how nigh they might venture without " becoming guilty, *Quam prope ad peccatum ſine pecca-* " *to liceat accedere*; ſo it ſeems their Work (meaning " the Prelates in the time of *C.* 1.) was to try how " much of a Papiſt might be brought in without Po- " pery, and to deſtroy as much as they could of the " Goſpel, without bringing themſelves into danger " of being deſtroy'd by Law. The Author quotes

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certain Paſſages out of *Engliſh* Books which I have never ſeen; but if they are quoted faithfully, there are People in *England*, who carry the Eccleſiaſtical Pretenſions higher in a Proteſtant Kingdom, than the *Gallican* Church does in a *Popiſh*: Their Projects can ne'er ſucceed without overturning every thing, and without falling into a worſe Eſtate than People ſuffer in any Popiſh Country: Theſe People, if they had the upper hand, would excommunicate Kings who diſpleas'd them, and place others in their rooms, as their Behaviour, in refuſing to take the Oaths, makes ſufficiently appear. 'Tis probable, that our Author aims only at this ſort of Men, and that he has no deſign againſt *the Church eſtabliſh'd by Law*. In my Opinion ſhe has nothing to fear from his Book, which maintains throughout, that the Civil Society has a Right to chuſe her own Eccleſiaſtical Government; ſo that Epiſcopal Government, being eſtabliſh'd by the Laws of *England*, it muſt continue as long as thoſe Laws. And there's no likelihood, that they'l be chang'd in this reſpect: They, who make but ſmall account of theſe Laws, and who fear that if Eccleſiaſtical Government be not otherwiſe founded, it will ſoon totter, don't ſufficiently reflect on the State of human Affairs. 'Tis a vain thing to preach up a *Divine Right*; if the Laws of Men are contrary to it, People will ſcarce gain the point of having it eſtabliſh'd, as may be ſeen, for example, in the Proteſtants on this ſide the Water, who are no more mov'd at what the *High-Churchmen* ſay in *England* of *Divine Right*, than if they ſaid not one word of it; and who readily obey the Eccleſiaſtical Laws enacted by the Sovereign Authority. Suppoſe the Reaſons, brought for the *Divine Right* of Epiſcopal Government, are good, as they are in effect in ſome reſpects: 'Tis difficult to make People comprehend 'em, who yet eaſily comprehend the Sovereign's Will thereupon, and chearfully obey, when accuſtom'd to it. For my part, I comprehend not, that there's more Danger of *England*'s becoming Presbyterian, than of *Holland*'s

Holland's becoming Episcopal; and there's not a Man among us who would not stake all he's worth, that this will never happen in *Holland*, unless the Government be wholly overturn'd by a foreign Power. As 'tis here the Interest of the State, that things should remain in the Condition they are, so 'tis in *England*; and 'twould be unjust to disturb the State of the Church with new Opinions, the Consequences of which are dangerous, and such as few will venture upon, under pretence of preventing an Ill, which may never happen. After all, they must be Men who wou'd introduce Opinions contrary to the Laws in being; and another set of Men might as well pretend a Right of changing these, if they thought fit.

The true Expedient to prevent a Change in any Form of Government, is to take care that Abuses do not creep into it; or if they do, that they be redrest as soon as possible; that Persons of Merit be prefer'd, and not Flatterers, who have no other Quality to recommend them than that of making Court to those who can prefer 'em: And besides, that no such Measure of Credulity be requir'd, as that People should put out their Eyes for any other's Pleasure; and in fine, that the Ecclesiasticks be oblig'd to live so, as the Laity should have reason to honour them.

Our Author relates a notable Saying of a Clergyman, who presented his Book of the *Contempt of the Clergy* to the late Ld *Hallifax*, who told him, he had forgot the principal Cause of the Clergy's Contempt, *i. e.* That the Laity were much enlightned: to which this Divine reply'd very frankly, *God be prais'd, there is yet Ignorance enough among the Laity to support the Authority of the Clergy.* Quite contrary, 'twere better the Clergy cou'd stand the strictest Examination of the most Enlightned among the Laity: They might rest assur'd, that no body wou'd think of changing the least matter in Ecclesiastical Discipline, so long as it was tolerable; the ill Conduct of any Ministry is ordinarily the principal Cause which makes People desire a change in Government.

FINIS.